

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

S&S SALES, INC.

PLAINTIFF

V.

2:08CV00220-WRW

PANCHO'S MEXICAN FOODS, INC., et al.

DEFENDANTS

ORDER

I realize that responses have not been filed to the motions in limine below, but unless I am missing something, I do not believe a response is needed (if a party believes that I am missing something, that party can file a short, specific motion to reconsider).

Defendants' Motion in Limine to Exclude Document Number 537 (Doc. No. 59) is GRANTED, since the document appears to be an email rant that has nothing to do with this case.

Defendants' Motion in Limine to Bifurcate and Exclude References to Punitive Damages in the compensatory stage of the trial (Doc. No. 69) is GRANTED.

Defendants' filed two different documents titled "Objections" (Doc. Nos. 50, 76) that appear to be objections to Plaintiff's deposition designations. If Defendants are seeking to have portions of deposition testimony excluded, they should attempt to resolve this with Plaintiff. If the parties meet an impasse. Defendants should file a "Motion" and attach the specific disputed deposition testimony (rather than simply listing the page and line number from the deposition), and note their specific objection.

Plaintiff's Motion to Exclude Certain Testimony of Angela Hopkins (Doc. No. 73) is DENIED. This motion appears to be a *Daubert* motion filed too late in the day for me to have a hearing on the matter. Moreover, it appears to me that these matters might be proper for cross-examination.

Defendants' Motion to Exclude Mr. Greg Campbell (Doc. No. 67) is DENIED. See the immediately preceding paragraph.

Defendants' Motion to Exclude Evidence that Defendant Hired a Detective Agency (Doc. No. 71) is DENIED. I can't rule on this without more information. The subject should not be mentioned until I have more information. Does Plaintiff intend to offer this evidence? If so, why (briefly and specifically)?

IT IS SO ORDERED this 5th day of March, 2010.

/s/ Wm. R. Wilson, Jr. _____
UNITED STATES DISTRICT JUDGE